

Remarks/Arguments

I. Status of the Claims

Claims 11-26 are under examination in the instant application.

Claims 15-26 remain withdrawn from consideration.

Claim 14, 17 and 26 stand rejected under 35 U.S.C. § 102(b).

Claims 11-12, 14, 17 and 26 stand rejected under 35 U.S.C. § 103(a).

Claims 11-14, 16-17, 19 and 23-26 are currently canceled.

Claim 22, although withdrawn, is currently amended to include the Markush group of PDEV inhibitors found on, for example, the specification section bridging page 28, lines 31-34 through page 29, lines 5-6.

No new matter is introduced by these amendments.

II. Interview Summary

Applicants thank the Examiner for the telephonic interview conducted on February 12, 2008. In that interview, the Examiner pointed out a clerical error in the previous response by applicant, in which text was inadvertently left in after the canceled claims 23-26. The current listing of claims corrects this error.

In addition, applicants inquired whether claims 15, 18 and 20-22, although presently withdrawn, might be examined, to which the Examiner agreed to review claims 15, 18 and 20-22, and if those claims appeared consistent with the previous restriction requirement, would be examined.

III. Rejection under 35 U.S.C. § 102(b)

Claims 14, 17 and 26 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,385,889, Kyle et al. 1995 (the '889 patent).

While applicants still maintain that Kyle et al. does not anticipate the present invention, in the interest of expediting prosecution, claims 14, 17 and 26 have been cancelled, without prejudice to applicants right to re-file the subject matter of claims 14, 17 and 26 in one or more continuing applications.

IV. Rejection under 35 U.S.C. § 103(a)

Claims 11-12, 14, 17 and 26 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kyle et al., US 5,385,889 (the '889 patent).

While applicants still maintain that Kyle et al. does not render the present invention obvious, in the interest of expediting prosecution, claims 11-12, 14, 17 and 26 have been cancelled, without prejudice to applicants right to re-file the subject matter of claims 11-12, 14, 17 and 26 in one or more continuing applications.

V. Conclusion

For all of the above reasons, reconsideration and withdrawal of the rejections under 35 U.S.C. § 102(b) and 35 U.S.C. § 103(a) is respectfully requested, and allowance of claims 15, 18, 20-22 and new claims 27-29 is solicited.

If the Examiner believes a telephonic interview with Applicant's representative would aid in the prosecution of this application, the Examiner is cordially invited to contact Applicant's representative at the below listed number.

Respectfully submitted,



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